

Kentucky Association of Counties

# LEGISLATIVE WRAP-UP —2024—



Stronger Counties. Stronger Kentucky.



# Thank you!

A 60-day legislative session requires a lot of stamina, patience and focus to keep up with the fluid work of the General Assembly. From bill filings to floor votes, there is a lot of activity to track.

Much of the success counties saw in the 2024 session started with conversations and task force meetings during the 2023 interim. KACo deeply appreciates the sustained commitment of county officials, advocacy partners and other stakeholders to meet with legislators and share important perspectives from the frontlines of county government. Thank you!



Todd County Judge/Executive Todd Mansfield and Warren County Attorney Amy Chandler testified before the Task Force on Local Government Annexation.



County officials in the audience of a legislative committee meeting.



Sen. Greg Elkins and KACo President / Scott County Magistrate David Livingston at the Count Officials Legislative Reception



Boone County Judge/Executive Gary Moore talks with Rep. Marianne Proctor and Rep. Steve Rawlings at the KACo legislative luncheon.



Kentucky League of Cities Executive Director J.D. Chaney, Sen. Robby Mills, Rep. Jonathan Dixon and KACo Executive Director Jim Henderson were at the table to support HB 596, a compromise bill on annexation.



## 2024 Legislative Wrap-Up

# ABOUT KACo



The Kentucky Association of Counties (KACo) is a non-profit, non-partisan, member-owned association of elected county officials in all 120 counties. KACo provides services and products to support, educate and advocate for our members.

**Judge/Executive**

**Magistrate/Commissioner**

**County Attorney**

**Sheriff**

**County Clerk**

**Jailer**

**Circuit Court Clerk**

**PVA**

**Coroner**

**Commonwealth's Attorney**

# 2024 Legislative Wrap-Up

## CONTENTS

KACo Executive Committee.....	1
KACo Board of Directors .....	2
KACo Advocacy Team .....	3
Executive Director’s Message.....	4
<b>BUDGET</b>	
FY25-26 Executive branch budget – HB 6 .....	5
Budget cleanup – SB 91 .....	6
One-time funding – HB 1 .....	7
Transportation Cabinet budget – HB 265 .....	8
Judicial branch budget – HB 264.....	8
<b>MEDICAL CANNABIS – HB 29</b> .....	9
<b>ANNEXATION – HB 596</b> .....	11
<b>PUBLIC SAFETY</b>	
Safer Kentucky Act – HB 5 .....	13
Next Generation 911 – HB 528 .....	14
Telecommunicator training – HB 782 .....	14
EMS employee reciprocity – HB 57.....	14
EMS education – HB 484 .....	14
Western Kentucky law enforcement training academy – HB 1 .....	15
Body armor grant program – HB 6 .....	15
School resource officer funding – HB 6 .....	15
School guardians – SB 2 .....	15
Sheriff’s office/county police overtime compensation – HB 456.....	15
Stolen vehicles and accident reports – SB 162.....	16
Cold cases – HB 551 .....	16
Death certificates – SB 17 .....	16
<b>JAILS AND COURTS</b>	
Jail funding – HB 6.....	17
Pre-trial housing study – HB 6.....	17
Video arraignment – HB 264 .....	17
Jury lists – HB 44 .....	17
Assistant county attorneys – HB 137.....	17
CHFS attorney involvement – HB 333 .....	18



# 2024 Legislative Wrap-Up

## TRANSPORTATION AND MOTOR VEHICLES

County priority road projects – HJR 92 .....	18
Autonomous vehicles – HB 7 .....	18
Motor vehicle inspections – HB 833 .....	18
Electric vehicle charging stations – HB 122 .....	18
Location of gas stations – HB 581 .....	19
Off-highway vehicle pilot program – SB 125 .....	19
Racing events – HB 29 .....	19
Licensing, registration and vehicle valuation – SB 199 .....	19
Road safety and towing – SB 107 .....	19

## ECONOMIC DEVELOPMENT

Kentucky Product Development Initiative – HB 13 .....	20
GRANT Program – HB 723 .....	20
Certified Child Care Communities – HB 561 .....	20

## ELECTIONS

Post-election audits – HB 53 .....	21
Election improvements – HB 580 .....	21
Petition for recall of property tax rate – SB 58 .....	21
Property tax recall elections – HB 147 .....	21
Constitutional amendments – HB 2 , SB 143 .....	22

## TAX POLICY AND REVENUE

Annual revenue bill – HB 8 .....	22
Utility pipelines – HB 122 .....	22

## BROADBAND

Broadband Equity Access and Deployment Program – HB 267 .....	23
Pole replacement funding – HB 6 .....	23
Broadband service backlog – SJR 175 .....	23

## ADDICTION RECOVERY

Recovery residences – HB 462 .....	23
Transportation from recovery centers – SB 71 .....	24

## OTHER NOTEWORTHY LEGISLATION

Housing income – HB 18 .....	25
Agricultural districts – HB 418 .....	25
Kentucky WWATERS Program – HB 563 .....	25
PVA salary clarification – HB 122 .....	25
Watershed conservancy boards – HB 130 .....	25
Solid waste management – HB 135 .....	26

## 2024 Legislative Wrap-Up

# LEADERSHIP

### 2023-24 Executive Committee

#### PRESIDENT



**David Livingston**  
Scott County  
Magistrate

#### PRESIDENT-ELECT



**Dan Mosley**  
Harlan County  
Judge/Executive

#### 1st VICE PRESIDENT



**Adam O'Nan**  
Union County  
Judge/Executive

#### 2nd VICE PRESIDENT



**Michael Logsdon**  
Oldham County  
Magistrate

#### PAST PRESIDENT



**Amy Chandler**  
Warren County  
County Attorney



## 2024 Legislative Wrap-Up

# BOARD OF DIRECTORS

**Jodi L. Albright**

Laurel County Attorney

**Scott Alexander**

Perry County Judge/Executive

**Scott Bates**

Henry County Judge/Executive

**Elbert Bennett**

Caldwell County Magistrate

**Darrin Benton**

Muhlenberg County Magistrate

**Blake Chambers**

Commonwealth's Attorney

**Amy Chandler**

Warren County Attorney

**Tabatha Clemons**

Grant County Clerk

**Jimmy Cornelison**

Madison County Coroner

**Joe Pat Covington**

Scott County Judge/Executive

**James A. Daley**

Campbell County Jailer

**Randy Dial**

Casey County Judge/Executive

**Chuck Dills**

Grant County Judge/Executive

**David Fields**

Pendleton County Judge/Executive

**Stevie Givens**

Butler County Magistrate

**Orbrey Gritton**

Anderson County Judge/Executive

**Doug Hall**

Floyd County Circuit Court Clerk

**Bobby Hall**

Greenup County Judge/Executive

**Stephen Henry**

Webster County Judge/Executive

**John Hunt**

Floyd County Sheriff

**Dan Ison**

Shelby County Judge/Executive

**David Livingston**

Scott County Magistrate

**Michael Logsdon**

Oldham County Magistrate

**Craig Miller**

Bracken County Magistrate

**Gary Moore**

Boone County Judge/Executive

**Dan Mosley**

Harlan County Judge/Executive

**David L. Nicholson**

Jefferson County Circuit Court Clerk

**Jenny Oldham**

Hardin County Attorney

**Adam O’Nan**

Union County Judge/Executive

**David O’Neill**

Fayette County PVA

**Berl Perdue**

Clark County Sheriff

**Rick Stiltner**

Menifee County Judge/Executive

**Reagan Taylor**

Madison County Judge/Executive

**Greg Terry**

Carlisle County Judge/Executive

**John Ward**

Hardin County Sheriff

## 2024 Legislative Wrap-Up

# KACo ADVOCACY TEAM

KACo has a strong voice representing Kentucky counties at the state and federal levels. We work to promote counties first, preserve county decision making and protect counties from cost shifting and preemption of authority.



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## 2024 Legislative Wrap-Up

# EXECUTIVE DIRECTOR'S MESSAGE

County Leaders,

The General Assembly's 2024 regular 60-day session may have begun at a slower pace than past long budget sessions, but the persistence and efforts of many stakeholders resulted in remarkable gains for many areas of county government.

With record state reserves in the rainy day fund, this budget year was unlike any in recent memory and a far cry from not too long ago when we collectively hoped for only a few percent share of state funding. Legislators tackled several other big topics as well, including medical cannabis and one of the most meaningful bills for counties in decades: HB 596, a compromise that sets the framework for a fairer annexation process for counties.

Summaries of this legislation and other new laws significant to counties are included in this booklet. Unless otherwise noted, all bills passed become law 90 days after the end of the legislative session. This year, that date is July 15.

**The amount of county involvement at the Capitol this session was unprecedented, and legislators took notice.** KACo's Executive Committee and Board of Directors, our members, the KACo Government Affairs team, affiliate directors and contract lobbyists kept the momentum going.

Your attendance and engagement at the County Officials Legislative Reception, weekly committee meetings and other events were critical. Telling the county story of how a bill or proposed change would affect your ability to provide services in your community made the difference.

Thank you for your continued engagement. County officials show the strength of our association through their desire to improve their communities while also supporting the wellbeing of fellow counties.

Stronger Counties. Stronger Kentucky.



Jim Henderson  
Executive Director,  
Kentucky Association of Counties

# 2024 Legislative Wrap-Up



## BUDGET

### **FY25-FY26 executive branch budget HB 6 (Rep. Jason Petrie)**

The \$131.7 billion executive branch budget continues funding for many critical items provided in the previous state budget (FY23-FY24), including:

- Maintains the \$35.34 per diem rate for housing state inmates in county jails
- Maintains the court security reimbursement rate at \$15/hour. To be eligible for this enhanced rate, deputies providing services must be paid at least \$10/hour.
- Continues to fund the Outlier Audit Assistance Program for one fiscal year at \$250,000 in FY25 and provides \$2.25 million each year to keep county clerk and sheriff audit costs at 50 percent.
- Provides \$12 million each year to continue funding for inmates to complete jail programs that result in a credit against their sentence. This funding program was set to expire after FY24.

The bill also includes new funding relevant to county officials:

- \$5 million each year to complete the statewide deployment of Next Generation 911.
- \$5 million in FY25 and \$10 million in FY26 for grants to law enforcement and first responders through the Attorney General's office for the purchase of body armor, duty weapons, ammunition, electronic-control devices and body-worn cameras.
- \$19,988,100 in FY25 for the Rural Infrastructure Improvement Fund. This fund was created during the 2022 legislative session to assist internet providers with utility pole replacement costs. Of that, \$8 million of the appropriation is directed specifically toward:
  - \$4 million to pole owners for the hiring of temporary workers to help manage the increased volume of pole attachment permit requests.
  - \$2 million to Kentucky Association of Electric Cooperatives for pole replacement activities.
  - \$2 million to the Office of Broadband Development to support hiring temporary workers for investor-owned utilities and other pole owners.
- \$16.5 million in FY25 and \$18 million in FY26 to help fund salaries for school resource officers. Local school districts will be reimbursed up to \$20,000 for each campus employing at least one on site full-time certified school resource officer.
- Additional funding for county attorneys and commonwealth's attorneys for case management software and salary compensation standardization.



## 2024 Legislative Wrap-Up

While HB 6 does not provide new funding for county jails, it does include a pre-trial housing study in FY25 to examine the projected savings to county jails and the potential cost to the Department of Corrections to transfer pre-trial inmates charged with a capital crime, Class A felony, or Class B felony sex offense to a state prison 60 days after arraignment.

- The study is required to include the average number of days of pre-adjudication incarceration by each offense from arraignment until conviction, and until post-conviction sentencing. The analysis will be broken down statewide by regional Circuit Courts and by each specific Circuit Court.
- The Department of Corrections is required to submit the report to the Interim Joint Committee on Appropriations and Revenue on or before Oct. 1, 2025.

*Emergency clause – effective April 19, 2024.*

### **Budget cleanup bill** **SB 91 (Sen. Jimmy Higdon)**

Amends budget bills for drafting errors and includes last minute changes. The bill also appropriates additional funds including:

- Funding for additional community projects from the Budget Reserve Trust Fund, some of which are directed toward county fiscal courts and water districts.
- \$28.7 million in FY25 from the EKSAFE fund to be used for the advancement of funds to county and city governments experiencing strained fiscal liquidity while awaiting reimbursement from FEMA or insurance claims relating to the impact of the July 2021 catastrophic flooding in eastern Kentucky.
- The bill also provides language to allow local governmental agencies to request participation in a governmental services program through the Department of Corrections to provide inmates the opportunity to learn job skills. At the discretion of the warden of the facility, local governments are responsible for all costs, including supervision, transportation, training, and meals but are not required to pay labor costs.

*Emergency clause – effective April 19, 2024*



## 2024 Legislative Wrap-Up

### **One-time funding HB 1 (Rep. Jason Petrie)**

Provides \$2.7 billion in one-time investments to be funded out of the Budget Reserve Trust Fund (also referred to as the rainy day fund). These appropriations will be excluded from the income tax reduction trigger formula and will not affect continued efforts by the legislature to further reduce the state income tax.

The bill provides funding to many specific county projects and includes funding to programs important to counties, including:

- \$200 million in FY24 for the Government Resources Accelerating Needed Transformation (GRANT) Program, also referred to as the HB 9 program that passed during the 2023 legislative session. This program was established to provide matching funds for local governments to leverage the unprecedented amount of federal grant funding available for energy communities.
- \$35 million each year to the Kentucky Product Development Initiative (KPDII) program.
- \$75 million each year to the Kentucky Water or Wastewater Assistance for Troubled or Economically Restrained Systems (KWWATERS) Fund.
- \$10.6 million in FY25 to provide \$200,000 grants to each of the general aviation airports, provided they have an automated dependent surveillance broadcast system installed at the airport. If an airport does not have an automated dependent surveillance broadcast system, the grant funds can be used to purchase a system.
- \$250 million in FY25 and \$200 million in FY26 to the Kentucky Transportation Cabinet to support the State Supported Construction Program for select projects identified for industrial development, economic and quality improvement, or located in high-growth counties.

The bill also appropriates \$56.4 million in FY25 from the Kentucky Law Enforcement Foundation Program Fund for two expenditures:

- \$50 million to construct the Western Kentucky Law Enforcement Training Academy in Madisonville.
- \$6.4 million to the Kentucky State Police for the purchase of lab equipment.

*Emergency clause – effective April 12, 2024.*



## 2024 Legislative Wrap-Up

### **FY25-FY26 Transportation Cabinet budget**

#### **HB 265 (Rep. Jason Petrie)**

Provides \$146.9 million in FY25 and \$157.3 million in FY26 for county road aid based on the revenue sharing formula.

The bill also provides new funding opportunities for counties:

- \$20 million in each year for the County Priority Projects Program to assist with county and city roads. The Transportation Cabinet will be required to submit a list of qualified discretionary projects that were ranked as an eight, nine, or ten by Nov. 1 of each year to the legislature. The projects approved by the General Assembly for FY25 are in House Joint Resolution (HJR) 92.
- \$25 million in each year to establish the County and City Bridge Improvement Program.

### **FY25-FY26 judicial branch budget**

#### **HB 264 (Rep. Jason Petrie)**

Provides funding for judicial branch operations. The budget includes a 3% salary increase each year for eligible employees, which includes deputy circuit court clerks.

The budget also provides funding to expand mental health court by 10 more sites, including Bourbon, Scott and Woodford counties, \$1.6 million in FY25 and \$1.5 million in FY26.

The bill includes a provision requiring courts to use the video arraignment system that was funded in the FY22 budget cycle. If the court does not use the video arraignment system, when available, the Administrative Office of the Courts (AOC) would be responsible for the costs associated with transporting prisoners to and from arraignments.

The bill also requires AOC to study the potential ways an increase in juror pay could impact timely case disposition, including juror attendance rates and a comparison of Kentucky's juror pay to surrounding states.

## 2024 Legislative Wrap-Up



# MEDICAL CANNABIS

## HB 829 (Rep. Jason Nemes)

House Bill 829 amends Kentucky's medical cannabis law to expedite the process of licensing cannabis businesses. This change allows the Cabinet for Health and Family Services Medical Cannabis Program to begin issuing licenses to those businesses **this year** so that operations and products can be developed. Cannabis dispensaries will still not be allowed to open to the public or dispense cannabis until Jan. 1, 2025.

### Local government options for medical cannabis

- A county and/or city could take no action. Medical cannabis businesses would be allowed to operate in that county or city as early as this year once it is licensed by the state.
- Pass an ordinance to prohibit cannabis operations.
- Pass a resolution to put the matter of cannabis operations to a public vote.
- Place restrictions and/or collect fees related to cannabis businesses operating within that county or city.

### Types of cannabis businesses

As amended by HB 829, state law allows the Cabinet to issue licenses for cannabis operations effective **July 1, 2024**. A cannabis business license can be for one of the following:

- Cultivator – responsible for planting, raising, harvesting, trimming and curing raw plant material in an indoor facility.
- Processor – responsible for processing and packaging raw plant material into usable product formats. Current state law does not allow these products to be smokable.
- Producer\* – responsible for both growing and processing raw plant material. (The Cabinet is not accepting applications for this license type at this time.)
- Safety compliance facility – responsible for contamination and purity testing.
- Dispensary – responsible for purchasing and selling finished products to medical cannabis cardholders.

### Prohibiting cannabis businesses

Counties and cities can **pass an ordinance by Dec. 31, 2024** to prohibit cannabis operations in their jurisdiction. If the Cabinet has already issued a business license and the local government passes an ordinance by Dec. 31 to prohibit this activity, the business would be forced to cease operations. However, if the county or city enacts its prohibition after Dec. 31, 2024, any licensed medical cannabis businesses at that time would be predated and allowed to continue operations.

## 2024 Legislative Wrap-Up

To avoid confusion and potentially disgruntled business owners, counties and cities should consider making their decision regarding any prohibition, regulation or zoning of cannabis businesses by **June 30, 2024**, prior to the Cabinet issuing any cannabis business license.

If a county or city passes an ordinance to prohibit cannabis businesses, that local government must notify the Cabinet in writing within five days after passage.

### Put it to a vote

In lieu of enacting a prohibition ordinance, a county or city may enact a resolution to allow the voters to decide if they are in favor of allowing cannabis businesses to operate in the boundaries of the county or city. The resolution must be received by the county clerk by the second Tuesday in August before the regular election to be on the ballot for that election.

For the question to be on the 2024 regular election ballot, the county clerk would have to receive the resolution **on or before Aug. 13, 2024** for the question to be included on the ballot this year.

If a county or city prohibits the operation of cannabis businesses, the voters in that jurisdiction may circulate a petition to place the question of overturning the county or city's decision on the ballot for the voters to decide.

### Pass local regulations

A county or city where cannabis businesses are allowed may enact ordinances "relating to the time, place, and manner of cannabis business operations." These ordinances cannot be less restrictive than state law or the administrative regulations promulgated by the Cabinet and shall not "impose an undue burden or make cannabis business operations unreasonable or impractical."

County and cities also may "establish and assess reasonable local fees to compensate for any additional costs caused by the operation of cannabis businesses." However, those fees cannot exceed the additional costs caused by the operation of cannabis businesses.

*Emergency clause – effective April 17, 2024.*



For more information regarding medical cannabis, please visit the KACo Medical Cannabis County Resources page at [kaco.org/county-information/medical-cannabis-county-resources](https://kaco.org/county-information/medical-cannabis-county-resources).



# 2024 Legislative Wrap-Up



## ANNEXATION

### HB 596 (Rep. Jonathan Dixon)

A priority measure for Kentucky counties cleared the General Assembly with HB 596, a compromise bill addressing city annexation and the occupational tax revenue lost by some counties with a population of 30,000 or more. The legislation was the result of the Task Force on Local Government Annexation, which met for several months in 2023.

#### Section 1 – Consensual annexation

<b>Issue</b>	No requirement that cities notify counties of a proposed annexation requested by a property owner.
<b>HB 596</b>	Requires cities to provide written notice to counties at least 45 days prior to enactment of a final annexation ordinance.
<b>Affected counties</b>	Counties over 30,000 population subject to occupational tax crediting.

#### Section 2 – Non-consensual annexation: notification

<b>Issue</b>	No requirement that cities notify counties of a proposed non-consensual annexation.
<b>HB 596</b>	Requires cities to provide written notice to counties at least 45 days prior to enactment of a final annexation ordinance.
<b>Affected counties</b>	All counties.

#### Section 2 – Non-consensual annexation: petition

<b>Issue</b>	If at least 50 percent of resident voters or property owners petitioned the mayor in opposition to an annexation, the annexation was brought to a vote. If 55 percent or more voted to oppose, the annexation process stopped.
<b>HB 596</b>	If 51 percent or more of the resident voters or property owners petition the mayor in opposition to the annexation, the annexation process stops. Removes requirement for a vote.
<b>Affected counties</b>	All counties.



Visit [www.kaco.org/annexation](http://www.kaco.org/annexation) for more information.

## 2024 Legislative Wrap-Up

### Sections 3-4 – Interlocal agreements

<b>Issue</b>	No protection for established interlocal agreements regarding revenue sharing.
<b>HB 596</b>	Prevents any interlocal agreement in existence on or after Jan. 1, 2024 concerning sharing of occupational or insurance premium tax revenue between a city and county from being terminated without the consent of each party.
<b>Affected counties</b>	Counties over 30,000 population subject to occupational tax crediting or counties subject to insurance premium tax crediting.

### Section 5 – County standing

<b>Issue</b>	No legal standing to counties.
<b>HB 596</b>	Expressly provides legal standing for counties to challenge an annexation prior to or within 60 days of enactment of the final ordinance.
<b>Affected counties</b>	Counties over 30,000 population subject to occupational tax crediting.

### Section 6 – Revenue sharing

<b>Issue</b>	No requirement for revenue sharing.
<b>HB 596</b>	<p>Absent an interlocal agreement, the bill sets out revenue sharing requirements:</p> <ul style="list-style-type: none"> <li>• For properties containing active residential, commercial or industrial uses, the bill creates an enhanced hold harmless period of 10 years. Counties would be required to determine the amount of lost revenue based on tax collections from the year prior to the annexation. Cities would then remit 150% of the net lost revenue (occupational license fee and/or insurance premium tax) to the county, minus any increase in property taxes collected.</li> <li>• For properties not containing active residential, commercial or industrial uses and meets certain other qualifications, as outlined in Section 6(2)(a)(1) or (2), the bill provides a framework for counties and cities to develop an interlocal agreement. If a county and city cannot reach consensus on an interlocal agreement, a default option would apply in which the county and city split costs and revenue sharing 50/50. The city would be required to remit to the county 50% of the occupational tax revenue generated in the annexed area, or an amount equal to what the county would otherwise collect pursuant to its countywide occupational tax rate, whichever is less.</li> </ul>
<b>Affected counties</b>	Counties over 30,000 population subject to occupational tax crediting.

### Sections 7-9 – County industrial districts

<b>Issue</b>	No ability to create development districts that cannot be annexed.
<b>HB 596</b>	Allows for the creation of up to two designated county industrial districts, up to 1,000 total acres, that cannot be annexed.
<b>Affected counties</b>	All counties.

## 2024 Legislative Wrap-Up



### PUBLIC SAFETY

#### Safer Kentucky Act

HB 5 (Rep. Jared Bauman)

This omnibus crime bill includes the following:

- Creates a new definition of violent felony.
- Prohibits individuals from being eligible for probation, parole, or other alternative to incarceration if a firearm was used in offense and was a prior felon, knew firearm was stolen, or was out of custody on violent offense when new offense occurred.
- Precludes state or local governments from purchasing firearms used in homicides from KSP auctions.
- Fentanyl: Increases the penalty for selling fentanyl that results in death from Manslaughter 2nd to Manslaughter 1st; allows for charge of Manslaughter 2nd for distribution of fentanyl resulting in death without payment or remuneration; increases penalties for trafficking in a controlled substance if actions lead to death involving fentanyl; increases penalty for bringing fentanyl into jails from Class D to Class C felony.
- Carjacking: Creates a new offense for carjacking and makes it a Class B felony.
- Property value damage: lowers threshold for Criminal Mischief 2nd to \$500 or less but lowers penalty to Class B misdemeanor if restitution is paid prior to trial.
- Homeless encampments: creates offense for “unlawful camping” and sets forth elements and penalties; state funds shall not be used for permanent housing for homeless individuals without including drug and alcohol treatment; local governments can designate indoor or outdoor areas for temporary camping of homeless individuals under certain criteria; local governments cannot adopt or enforce policy which discourages the prohibition on unlawful camping.
- Places prohibitions on charitable bail organizations (Madelynn’s Law).
- Makes murder of a first responder a capital offense.
- Places term limits on Parole Board.
- Allows for businesses to exercise reasonable amount of force to prevent the escape of a person detained for the loss of goods for sale.
- Creates reporting requirements for students who make threats or plans of violence.



## 2024 Legislative Wrap-Up

### **Next Generation 911 funds**

#### **HB 528 (Rep. Mark Hart)**

Provides for the continuation of matching funds for the completion of a Next Generation 911 statewide implementation federal grant. The executive branch budget, HB 6, included \$5 million in FY25 and FY26 to complete the statewide deployment.

### **Telecommunicator training**

#### **HB 782 (Rep. Scott Lewis)**

Establishes the Public Safety Telecommunicator Work Group, charged with producing a new training delivery format including in-person and online classes for the public safety telecommunicator academy implemented by the Kentucky Law Enforcement Council (KLEC). The academy will require at least 160 hours of KLEC-approved training. All public safety telecommunicators not previously certified by KLEC shall complete the academy within 12 months from the date of hire.

### **EMS employee reciprocity**

#### **HB 57 (Rep. Chris Freeland)**

Removes the classifications of ambulance services, mobile integrated healthcare programs, and medical first response providers from statute to administrative regulations and permits an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic in good standing in another state to be eligible for reciprocity at the same level of certification or licensure.

*Emergency clause – effective April 5, 2024.*

### **Establishment of EMS education grant program**

#### **HB 484 (Rep. Deanna Frazier Gordon)**

Establishes an Emergency Medical Services education grant program overseen by the Kentucky Board of Emergency Medical Services (KBEMS), composed of three components:

- Student tuition support for those seeking initial paramedic certification and employed by a ground ambulance provider.
- Agency support for reimbursement of Class 1 ground ambulance providers for the wages paid to an employee seeking initial certification.
- Funding for existing and start up EMT training and educational institutions that offer or will offer initial education courses for EMTs, advanced EMTs and paramedic programs.

Priority funding would go to nonprofit entities and those serving/planning to serve underserved areas. No state funding was appropriated during the 2024 session.

## 2024 Legislative Wrap-Up

### **Western Kentucky Law Enforcement Training Academy**

**HB 1 (Rep. Jason Petrie)**

The one-time funding bill includes \$50 million in FY25 to construct the Western Kentucky Law Enforcement Training Academy in Hopkins County. This will be funded from the Kentucky Law Enforcement Foundation Program Fund.

### **Body armor grant program**

**HB 6 (Rep. Jason Petrie)**

The executive branch budget included \$5 million in FY25 and \$10 million in FY26 for grants to law enforcement and first responders through the Attorney General's office for the purchase of body armor, duty weapons, ammunition, electronic-control devices and body-worn cameras.

### **School resource officer funding**

**HB 6 (Rep. Jason Petrie)**

The executive branch budget included \$16.5 million in FY2025 and \$18 million in FY2026 to help fund salaries for school resource officers. Local school districts will be reimbursed up to \$20,000 for each campus employing at least one on-site full-time certified school resource officer.

### **School guardians**

**SB 2 (Sen. Max Wise)**

Allows a local school board to hire veterans and former police officers certified by the Center for School Safety to serve as school "guardians." This would include retired law enforcement and honorably discharged, retired military veterans as armed guardians at public schools.

- The bill is not a mandate, and the guardians would not have arresting authority.
- Guardians will have to be within five years of retirement and undergo a vetting and training process.
- Guardians will have the same criminal and civil immunity as other law enforcement in the state. School boards also would be protected.
- The bill also establishes the School Mapping Data program to provide a framework for interoperable communication inside and outside the school campus.

### **Sheriff overtime compensation**

**HB 456 (Rep. Samara Heavrin)**

Includes sheriff's offices and county police forces to the list of local government agencies eligible for an exception to overtime compensation. Some sheriff's offices may schedule officers to work for more than 40 hours one week, but less than 40 hours the next. Current statute would require overtime pay for the first week, while HB 456 would not require overtime pay assuming the two-week period does not amount to more than 80 hours.

*Emergency clause – effective April 5, 2024.*

## 2024 Legislative Wrap-Up

### **Stolen vehicles and accident reports**

**SB 162 (Sen. Robby Mills)**

Allows local law enforcement agencies to retain a copy of any vehicle accident reports filed with KSP, and to access reports and contract with third parties to provide the reports in order to share information in an effort to locate stolen vehicles.

### **Cold cases**

**HB 551 (Rep. Keturah Herron)**

Allows law enforcement agencies to contract with retired peace officers to assist with homicide cold cases. Retired peace officers contracted for this purpose are not given peace officer powers and their compensation is not considered creditable compensation toward any retirement system the retired officer participates in.

### **Death certificates**

**SB 17 (Rep. Matthew Deneen)**

Allows coroners to wait to receive results of any inquiry before completing a certificate of death rather than the current law requiring a certificate to be issued often before the results are received, requiring a supplemental second report to confirm the inquiry results.





## 2024 Legislative Wrap-Up



### JAILS AND COURTS

#### **Per diem and closed counties' funding**

##### **HB 6 (Rep. Jason Petrie)**

- Maintains the \$35.34 per diem rate for housing state inmates in county jails.
- Maintains the \$20,000 annual payment to counties with closed jails.

#### **Pre-trial housing study**

##### **HB 6 (Rep. Jason Petrie)**

The executive branch budget includes a pre-trial housing study in FY25 to examine the projected savings to county jails and the potential cost to the Department of Corrections to transfer pre-trial inmates charged with a capital crime, Class A felony, or Class B felony sex offense to a state prison 60 days after arraignment.

- The study is required to report the average number of days of pre-adjudication incarceration by each offense from arraignment until conviction, and until post-conviction sentencing. The analysis will be broken down statewide by regional Circuit Courts and by each specific Circuit Court.
- The Department of Corrections is required to submit the study to the Interim Joint Committee on Appropriations and Revenue on or before Oct. 1, 2025.

#### **Use of video arraignment requirement**

##### **HB 264 (Rep. Jason Petrie)**

The judicial branch budget includes a provision requiring courts to use the video arraignment system that was funded in the FY22 budget cycle. If the court does not use the video arraignment system, when available, the AOC would be responsible for the costs associated with transporting prisoners to and from arraignments.

#### **Jury lists**

##### **HB 44 (Rep. John Hodgson)**

Requires circuit clerks to produce a list of those jurors excused for not being a citizen, and share with the Attorney General, the U.S. Attorney and the State Board of Elections. The bill also prohibits adopting a ranked-choice voting method.

#### **Assistant county attorneys**

##### **HB 137 (Rep. Steve Bratcher)**

Repeals the current statutory residency requirements for assistant county attorneys which require them to live either in the county, within 30 miles of the county line or in a contiguous county.

## 2024 Legislative Wrap-Up

### CHFS attorney involvement

#### HB 333 (Rep. David Meade)

Provides that any prosecution by the attorneys for the Cabinet for Health and Family Services under KRS Chapter 620 shall occur only upon written consent of the county attorney and presiding judge.



## TRANSPORTATION AND MOTOR VEHICLES

### County priority road projects

#### HJR 92 (Rep. Jason Petrie)

Sets out the county priority road projects in the Six-Year Road Plan. HB 265 allocated \$20 million each fiscal year to assist with county and city roads. The Transportation Cabinet will be required to submit a list of qualified discretionary projects that were ranked as an eight, nine, or ten by Nov. 1 of each year to the legislature.

### Autonomous vehicles

#### HB 7 (Rep. Josh Bray)

Enacts the framework to allow and regulate the use of fully autonomous vehicles on public highways in Kentucky. The bill prohibits local governments from imposing additional requirements on autonomous vehicles or differentiate the treatment of fully autonomous vehicles from nonautonomous vehicles.

### Motor vehicle inspections

#### HB 833 (Rep. David Meade)

This bill updates the decades-old motor vehicle inspection law by allowing sheriffs to appoint special inspectors at new or used motor vehicle dealers with 100 sales per month solely to complete inspections of vehicles sold by that dealer; increases the fee retained by sheriffs for the inspections; and requires the Transportation Cabinet to create an electronic vehicle inspection form.

### Electric vehicle charging stations

#### HB 122 (Rep. Patrick Flannery)

Exempts lower capacity electric vehicle (EV) charging stations from the EV usage tax. This type of charger is typically installed at community locations such as libraries, churches and parks along with store parking lots where free EV charging is offered.

*This provision contains an emergency clause with a retroactive effective date of Jan. 1, 2024.*

## 2024 Legislative Wrap-Up

### Location of gas stations

#### HB 581 (Rep. Ken Upchurch)

Prohibits local governments from enacting an ordinance or using planning and zoning to limit a gas station from locating at any place that similar businesses may locate or treating gas stations differently from electric vehicle charging stations.

### Off-highway vehicle pilot program

#### SB 125 (Sen. Phillip Wheeler)

Extends the off-highway vehicle (OHV) pilot program that was initiated in 2022 to continue until July 1, 2027. The program has been used to increase tourism by allowing local governments to authorize and regulate the use of OHVs on designated roadways. The vehicles must follow regulations set by both the Transportation Cabinet and local governments.

### Racing events

#### HB 29 (Rep. Derek Lewis)

Allows local governments to issue permits for racing events on state-maintained highways, subject to approval by the Transportation Cabinet.

### Licensing, registration and vehicle valuation

#### SB 199 (Sen. Jimmy Higdon)

This bill contains transportation-related fixes for various issues:

- Updates the Commercial Driver's License process, including penalties on CDL drivers who engage in human trafficking.
- Includes a \$40 fee, half of which goes to the county clerk, for reinstatement of canceled registration.
- Addresses the issues with the KAVIS system rollout (the system county clerks use for motor vehicle title and registration service)
- Authorizes the Department of Revenue to use a nationally accepted used car valuation in replacement of the National Auto Dealers Association valuations.

*Effective, in part, Jan. 1, 2025.*

### Road safety and towing

#### SB 107 (Rep. Jimmy Higdon)

Miscellaneous transportation-related issues addressed include:

- Restricts semi-trucks from using the left lane of the road, except for certain conditions.
- Streamlines commercial vehicle registrations.
- Enforces towing regulations.
- Adds organ donation information to driver education.
- Allows administrative regulations on overly wide and dimensional permits.

*Effective, in part, Jan. 1, 2025.*



## 2024 Legislative Wrap-Up



### ECONOMIC DEVELOPMENT

#### Kentucky Product Development Initiative (KPD I)

HB 13 (Rep. Adam Bowling)

Improves the KPD I program by addressing local match requirements to help ensure that smaller counties with constrained budgets can participate. The KPD I program supports development projects through the Cabinet for Economic Development, with technical assistance and evaluation services from the Kentucky Association for Economic Development. HB 13 provided \$35 million in each year of the biennium for the program.

*Emergency clause - effective July 1, 2024.*

#### Government Resources Accelerating Needed Transformation (GRANT) Program

HB 723 (Rep. Richard Heath)

This bill is a continuation of 2023's HB 9. It provides matching grant funds to enable local governments and non-profits to leverage federal grant funds. The bill moves the administration of the program from the Department for Local Government to the Cabinet for Economic Development. The bill also tiers local match requirements based on county population rankings (factors in population density and percent change in population). The GRANT Program was funded in HB 13 - \$200 million in FY24.

*Emergency clause – effective April 12, 2024.*

#### Certified child care communities

HB 561 (Rep. Samara Heavrin)

Establishes the Certified Child Care Community Designation Program that allows local governments to voluntarily seek the designation by removing some barriers to child care services such as regulatory fees and zoning regulations.



## 2024 Legislative Wrap-Up



### ELECTIONS

#### Post-election audits

**HB 53 (Rep. John Hodgson)**

Replaces the current risk-limiting audit process for voting system checks with a post-election “Check the Tech” audit, in which the Secretary of State randomly selects one ballot scanner and one race on that scanner for audit performed by the county board of elections or its designee. The post-election audit shall be recorded and may be live-streamed. Reimburses each county clerk up to \$5,000 for actual expenses incurred in this post-election audit.

#### Election improvements

**HB 580 (Rep. Jennifer Decker)**

A collaboration between legislators, county clerks, the Secretary of State and State Board of Elections to seek continuous improvement in elections. Since the early 1970s the state has not increased the annual funding methods for elections and the funding was stripped from this bill. HB 580 includes provisions which:

- Allows for the State Board of Elections to enter into agreements with other states to ensure removal of voters who move their residency to another state.
- Requires the State Board of Elections to execute a form for voters to self-report when they move.
- Makes provisions for county clerks and voters to improve access to the ballot for certain absentee situations.
- Allows for county board of elections membership changes to happen during the off-year of elections instead of after the primary elections during the presidential year.

*Emergency clause – effective April 19, 2024.*

#### Petition for recall of property tax rate

**SB 58 (Sen. Gary Boswell)**

- Reduces the petition committee from five to three qualified voters.
- Removes the requirement to include the signer’s social security number, replacing it with their birth year.

#### Property tax recall elections

**HB 147 (Rep. Ken Fleming)**

Clarifies that when a property tax rate is subject to recall (over four percent of the compensating rate), the “next regular election” means the regular election that occurs immediately after all statutory requirements for levying a property tax rate have been met, regardless of whether the election occurs in the same or a subsequent calendar year as the levy of the property tax rate.

The bill also changes the ballot question from the voter choosing whether they are “for” or “against” the tax levy to a question of whether the voter is “for” the tax levy.

## 2024 Legislative Wrap-Up

### Constitutional amendments on November 2024 ballot

#### HB 2 (Rep. Suzanne Miles)

Proposes a new section of the constitution to authorize the legislature to provide financial support for the education costs of students in grades K-12 who are outside the system of common (public) schools.

#### SB 143 (Sen. Jason Howell)

Proposes to amend Sections 145 and 155 to prohibit non-U.S. citizens from being allowed to vote.



## TAX POLICY AND REVENUE

### Annual revenue bill

#### HB 8 (Rep. Jason Petrie)

- Establishes a qualified broadband investment tax credit for taxable year beginning on or after Jan. 1, 2025, but before Jan. 1, 2029. This tax credit will allow broadband companies to receive a credit for the sales tax paid on broadband expansion expenses.
- Removes the electric vehicle fee on hybrid vehicles that do not have plug-in capabilities beginning Jan. 1, 2025. They were previously required to pay \$60 annually at vehicle registration.
- Clarifies the motor vehicle rental license fee applies to the gross receipts derived from transportation network services (ex. Uber and Lyft) including any charges for time or mileage, fees for using the services, and charges for services necessary to complete the transaction made by a transportation network company.
- Excludes currency and bullion (typically gold or silver bars) from the sales and use tax beginning Aug. 1, 2024.

### Utility pipelines

#### HB 122 (Rep. Patrick Flannery)

Clarifies that for property assessed on Jan. 1, 2024 and on Jan. 1, 2025, utility pipelines will be assessed as real property. This legislation follows a court ruling that determined the pipelines were tangible personal property. The property assessment provision applies retroactively to Jan. 1, 2024.

*Emergency clause – effective April 17, 2024.*

## 2024 Legislative Wrap-Up



### BROADBAND

#### Broadband Equity Access and Deployment (BEAD) Program

HB 267 (Rep. Jason Petrie)

Authorizes the Office of Broadband Development to implement the federal Broadband Equity Access and Deployment (BEAD) Program. The bill establishes guardrails for the funds appropriated in the FY24 budget and prioritizes funds for delivery to the last mile of unserved areas. *Emergency clause – effective April 4, 2024.*

#### Pole replacement funding

HB 6 (Rep. Jason Petrie)

The executive branch budget included \$19,988,100 in FY25 for the Rural Infrastructure Improvement Fund. This fund was created during the 2022 legislative session to assist internet providers with utility pole replacement costs. Of that, \$8 million is directed specifically toward:

- \$4 million to pole owners for the hiring of temporary workers to help manage the increased volume of pole attachment permit requests.
- \$2 million to the Kentucky Association of Electric Cooperatives for pole replacement activities.
- \$2 million to the Office of Broadband Development to support hiring temporary workers for investor-owned utilities and other pole owners.

#### Service deployment backlog

SJR 175 (Sen. Damon Thayer)

Directs the Public Service Commission to produce emergency regulations on utility pole attachments for broadband service providers that will address the backlog of requests and set parameters for preventing future delays. The PSC will create a docket for public comment and requests from affected parties.

*Emergency clause – effective April 4, 2024.*



### ADDICTION RECOVERY

#### Recovery residences

HB 462 (Rep. Steve Bratcher)

Amends the recovery residence certification requirements that are set to go into effect July 1, 2024. Allows local governments to enact civil fines through ordinance for any uncertified recovery residence operating in their jurisdiction or any recovery residences that fail to submit any report, data or other information required by a local government.



## 2024 Legislative Wrap-Up

### Transportation from recovery centers

#### SB 71 (Sen. Phillip Wheeler)

Requires drug treatment centers authorized by statute and programs licensed as chemical dependency treatment services to provide transportation for residents who voluntarily leave the program, with the following stipulations:

- For those who voluntarily entered a program, an agreement must be obtained from a family member or emergency contact to personally transport, or the facility must make the service available through a ride-sharing service to their hometown, public transportation to the nearest bus station or other appropriate service.
- If a resident who is at the facility under court order leaves prematurely, the facility must notify the court, the prosecutor, local law enforcement and the emergency contact. They may be arrested until a judge holds a hearing on the violation.

The bill also defines an “alternative sentencing worker” for a mental health assessment upon request by a defendant or the court, which also must be shared with the prosecution. The judge can approve completed treatment as part of the conditional release.



## 2024 Legislative Wrap-Up



## OTHER NOTEWORTHY LEGISLATION

### Housing income

#### HB 18 (Rep. Ryan Dotson)

Preempts local governments from enacting ordinances that prohibit property owners from refusing to lease to an applicant whose income in whole or part includes federal housing assistance.

*Emergency clause – effective March 6, 2024.*

### Agricultural districts

#### HB 418 (Rep. Michael “Sarge” Pollock)

Reduces the minimum number of acres required to qualify as an agricultural district from 250 acres to 50 acres. Allows for a dissolution process and notification to cities within one mile of the district to be notified of the proposal, approval and withdrawal of property from a district.

### Kentucky WWATERS Program

#### HB 563 (Rep. Josh Bray)

Establishes two revolving funds under the Kentucky Water and Wastewater Assistance for Troubled or Economically Restrained Systems (Kentucky WWATERS) Program to be administered by the Kentucky Infrastructure Authority. The program will help struggling water and wastewater systems that do not qualify for normal funding.

- The first fund will address capital and non-capital expenses for systems with performance deficiencies and can be awarded in the form of grants, loans, no-interest loans or forgivable loans, to be determined by the General Assembly.
- The second is an emergency fund to restore service or avoid service interruptions after an emergency has been declared, either local or statewide.
- The WWATERS Program was funded in HB 1 - \$75 million in each year of the biennium.

*Emergency clause – effective April 12, 2024.*

### PVA salary clarification

#### HB 122 (Rep. Patrick Flannery)

- Equalizes salary schedule for property valuation administrators.
- Assures all PVAs will receive an eight percent salary increase received by some in FY23 and pays a lumpsum payment on or before June 30, 2024 to those not included in initial increase.

*Emergency clause – effective April 17, 2024.*



## 2024 Legislative Wrap-Up

### **Watershed conservancy boards**

#### **HB 130 (Rep. Shawn McPherson)**

Establishes the procedure for the discontinuance of watershed conservancy district boards if the watershed conservancy board fails to meet over the course of one year or longer or fails to adopt and fund a budget.

*Emergency clause – effective April 4, 2024.*

### **Solid waste management**

#### **HB 135 (Rep. Jared Bauman)**

As applied only to privately contracted solid waste management services not provided through a franchise agreement, this bill defines “confidential business information” as commercial or residential customer service pricing and customer lists, and prohibits a county or a waste management district from requiring submission of this information.





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